

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 179 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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LIYATKATALI KALUMIYA

Versus

STATE OF GUJARAT

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Appearance:

MS KD PARMAR for Petitioner  
MR MR ANAND, PP with MR ND GOHIL, APP for  
Respondents.

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CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 19/02/97

ORAL JUDGEMENT

Rule. Service of rule waived by Mr. M.R. Anand,  
Ld. P.P. with Mr. N.D. Gohil, Ld. A.P.P. for the  
respondents.

2. The report filed by the jail authority inter-alia  
indicates that there is an objection application from

opponent Juberbhai. To this, the suggestion made on behalf of the petitioner is that the petitioner's request for furlough at a place other than the place where said opponent is residing might be considered. In the facts of the case, following direction is given :-

The concerned authority of the respondents will consider the petitioner's request for furlough once again but with a rider that such request will be considered for release at a place other than the place where the opponent Juberbhai is residing/working. It will also be open to the authority to impose appropriate conditions in order that breach of peace is not committed. Such a request shall be considered within a period of two weeks from the date of receipt of writ of this direction.

Rule made absolute only in the aforesaid terms.

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